



**CITY OF DANBURY**  
**155 DEER HILL AVENUE**  
**DANBURY, CONNECTICUT 06810**

PLANNING COMMISSION  
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**MINUTES**  
**MARCH 3, 2021**

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The web based meeting hosted on Zoom was called to order by Chairman Arnold Finaldi at 7:30 PM.

Present were Robert Chiocchio, Helen Hoffstaetter, Perry Salvagne, Joel Urice, and Arnold Finaldi Jr. Also present was Deputy Planning Director Jennifer Emminger.

Absent were Alternates Kevin Haas and Gary Renz.

Mrs. Hoffstaetter made a motion to accept the February 17, 2021 minutes. Mr. Chiocchio seconded the motion and it was passed unanimously by voice vote with five ayes. Chairman Finaldi said he felt a voice vote is adequate for the acceptance of the minutes, but all other votes would be taken by roll call.

Chairman Finaldi asked for a motion to move the Floodplain Permit for Engine #26 from For Reference Only to the Old Business. Mr. Urice made the motion to move item number one under For Reference Only to number two under the Old Business on tonight's agenda. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote.

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**CONTINUATION OF PUBLIC HEARING:**

Newtown Road LLC/Maria & Manuel Andre, Manuel Neves Gouveia Marques, & Antonio Mendes Gouveia Marques – Application for Special Exception/Site Plan Approval for Child Day Care Center in the CG-20/RA-8 Zone – 36 Newtown Road, 40 & 42 Newtown Road, Whitney Avenue (K13188, K13190 & K12255, & K12254) – SE 780. THIS APPLICATION IS TABLED - THERE WILL BE NO ACTION TAKEN OR DISCUSSION ON IT.

Chairman Finaldi said this hearing will be continued at the request of the applicant's attorney. Mr. Urice made a motion to continue the public hearing. Mrs. Hoffstaetter seconded the motion and it was passed unanimously by voice vote.

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OLD BUSINESS FOR DISCUSSION AND POSSIBLE ACTION:

JAR Associates LLC/D & B Wellness LLC – Application for Special Exception/Revised Site Plan Approval for a Medical Marijuana Dispensing Facility in the CA-80 Zone – 105 Mill Plain Road (C14063) – SE #779.

Chairman Finaldi said the members should have received a draft resolution dated February 25, 2021 by email. Mrs. Emminger reviewed the standard conditions of approval and said there were two minor corrections to be made but otherwise this was pretty straightforward. There were no questions from the Commission members. Mr. Urice made a motion to approve this application per the amended resolution. Mr. Chiochio seconded the motion and it was passed unanimously by roll call vote with ayes from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice and Chairman Finaldi.

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City of Danbury Westside Fire Station #26 - Application for Revised Floodplain Permit for 75 Kenosia Avenue (Portion of G18001) – Revised Site Plan #06-07.

Mrs. Emminger reviewed the draft resolution dated March 4, 2021. She said this is a revised floodplain permit for the Fire Station that is located at the Municipal Airport. She said she had just approved a revised site plan application for a large addition on the existing structure, which was built in 2007. In addition to doubling the size of the building, there will be significant improvements made to the site. These include changes to the parking, the driveway, and compliance with the landscaping/mitigation plan that was approved by the Environmental Impact Commission. She then said the entire Airport parcel is within the (Unnumbered A Zone) floodplain and the base flood elevation for this area as determined by the “Army Corps” is 454.4 ft. The proposed work results in approximately 473 cu.yds. of fill within the regulated floodplain. To compensate for the fill, the plans show that approximately 483 cubic yards of material will be removed from the site. The removal of fill results in approximately ten (10) cu.yds. of additional storage volume within the regulated floodplain. And lastly the proposed structure (at 456.3 ft.) leads to ground that is above the base flood elevation. She said this includes the standard conditions: an elevation certificate at the completion of the addition; and written certification from the project engineer that the site was constructed in accordance with the approved plans. Also any modifications to the approved plans will require a revised floodplain permit be approved. Mr. Urice pointed out that the date was listed incorrectly on the resolution. Mrs. Emminger said it would be corrected. Mrs. Hoffstaetter made a motion to approve this per the resolution as amended. Mr. Salvagne seconded the motion and it was passed unanimously by roll call vote with ayes from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice and Chairman Finaldi.

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REFERRALS:

8-24 Referral - December 2020 City Council Agenda Item #7: White Street & Locust Avenue Intersection Improvements.

Mrs. Emminger referred to her report dated March 1, 2021. In December 2020, City Council authorized an application to CT DOT for Local Transportation Capital Improvement funds for this project to improve traffic flow and to provide safety improvements along a section of the White St. corridor. She said this project extends from Meadow St. to Eighth Ave. and includes road widening, installation of dedicated turning lanes, geometric intersection improvements, and restoration of sidewalks. In order to do the improvements, the City will need to acquire various rights (fee title or easements) from five specific properties. Other than one small acquisition of land totaling 62 sq.ft. in size, the acquisitions are for easement rights over all five properties. The land acquisition and easements are required for the installation of traffic equipment, sidewalks, rights to grade, and to reconstruct relocated improvements. She added that the revised site plans are being prepared and will be reviewed administratively. Lastly, staff has no objection to the issuance of a positive recommendation. Mr. Salvagne asked if they were commenting on the acquisition of land or the entire project. Mrs. Emminger said all they are looking at is the acquisition. Mrs. Hoffstaetter made a motion to give this request a positive recommendation subject to terms and conditions deemed appropriate by Corporation Counsel and the Department of Public Works. Mr. Urice seconded the motion and it was passed unanimously by roll call vote with ayes from Mr. Chiocchio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice, and Chairman Finaldi.

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8-3a Referral - Petition of Berkley Insurance Company/Encompass Health CT Real Estate LLC to Amend the Master Plan of The Reserve. (Amend Phase 9B, Non-Residential Uses Not Serving the Immediate Needs of the Residential Development, from 100,000 SF of commercial use to 100,000 SF as a Physical Medical Facility-In-Patient Use.) Zoning Commission public hearing scheduled for April 20, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. ***This will be discussed at a future meeting.***

8-3a Referral - Petition of Newtown Road LLC/Maria & Manuel Andre, Manuel Marques, & Antonio Marques, Whitney Avenue (K12254) for Change of Zone from RA-8 to CG-20. Zoning Commission public hearing scheduled for April 27, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. ***This will be discussed at a future meeting.***

Mrs. Emminger said there is a typo on both of these applications as the Zoning Commission public hearing date is April 27, 2021, not April 20th as it was listed on the agenda. She said these would be discussed at one of the April meetings.

NEW BUSINESS:

Global Partners LP/Four Star Realty LLC- Application for Revised Special Exception/Revised Site Plan for Automobile Service Station ("Global Gas Station") in the CG-20 Zone - 108 Newtown Road & 5 Mountainview Terrace (M10029 & M10028) - SE #720. Public hearing date to be determined.

Chairman Finaldi said this application would be on file in the Planning Office. Mrs. Emminger said the public hearing is scheduled for April 7, 2021.

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Chairman Finaldi said there were two public hearings and one floodplain permit listed under For Reference Only and nothing listed under Correspondence. He asked if there was anything to discuss under Other Matters and there was nothing.

At 8:10 PM, Mr. Salvagne made a motion to adjourn. Mr. Chiochio seconded the motion and it was passed unanimously by voice vote with five ayes.

Respectfully submitted

JoAnne V. Read  
Planning Assistant